

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARL WILLIAMS, HASSAN ALEEM AND
DOROTHEA HARRIS

Creditors/Objectors,

v

In re:

City OF DETROIT, MICHIGAN
AND EMERGENCY MANAGER
KEVYN D. ORR

Debtor/City of Detroit

Chapter 9

Case No. 13-53846

Judge Steven W Rhodes

**MOTION TO OBJECT AND RECONSIDER OF SUPPLEMENTAL OPINION
REGARDING PLAN CONFIRMATION, APPROVING SETTLEMENTS
AND APPROVING EXIT FINANCING**

NOW COMES the creditors/objectors in the above caption and object and respond by motion to move the Supplemental Opinion regarding plan confirmation, approving settlements and approving exit financing, under the 1st Amendment and 14th Amendment of the Constitution of the United State and Federal Rules of Civil Procedure Rules 7, 8, and 9 and show the following:

The supplemental opinion regarding the plan confirmation, approving settlements and approving exit financing is deceiving, bias and have misconstrued the facts and law that have totally disregard the pertinent rules, code, and procedures of the entire bankruptcy process.

1) We disagree with the magistrate judge Steven W Rhodes assessments to began with because he gave the false impression that there were no violations of the bankruptcy rules and the code, for example: we cited violations of 11 USC 903, 904, 923 and 921, which he ignored and never addressed these multiple violations in our objection. (See Dkt No. 8516, 0565, 0752, 0789, 0816, 0821, 0928, 0829 4241)

2) We object because the opposing party has not replied to any of our objections and they are admitted when not denied and assumed to be true in according to Fed.R.Civ.P Rule 8(d) .

3) We object to the opposing party not responding to any of our objections and the court cannot supply the deficiency of the opposing party failure to respond or their lack of talents and rule on opposing party behalf when they never asked for evidentiary hearing, objected to any of our objections, briefed against any of our objection in a timely matter if at all, or argued against our objections, and never responded to any of our objections Percy Harris Jr. v City of Detroit Court of Appeals

257345(2003); citing *Tringali v Lal Michigan* 164 App 299, 300-301 (1987); The court has stated the court cannot grant relief on an issue neither brief nor argued. *Celotex v Catrett*, 477 U.S. 317, 322-326 (1985) *Anderson v Liberty Lobby, Inc* 477 U.S. 242,106 S.Ct 2505, 2511, 91 L.ED.2d.

3) We object and disagree with the plan of adjustment and notice for the following reasons: (1) The bankruptcy is fraudulent and illegal and was never by consent of creditors as required by 11 USC 903 or the consent of the municipality as required by 11 USC 904.(See Dkt Nos. 0565, 0789, 0752, 5851).

4) We object and disagree because the bankruptcy court lacks jurisdiction, however, if the court legally had jurisdiction we would object and oppose because there never was a notice in accordance to 11 USC 923 that states: "There Shall be given notice of the commencement of a case under this chapter, notice of an order for relief under this chapter, and notice of the dismissal of a case under this chapter. Such notice shall also be published at least once a week for three successive weeks in at least one newspaper of general circulation published within the district in which the case is commenced, and in such other newspaper having a general circulation among bond dealers and bondholders as the court designates. This also applies to the "Disclosure Statement" and "Plan of Adjustment" as well. These are grounds for a

dismissal. In re Colorado Centre Metro, Dist. (1990, BC Dc colo) 113 BR 25, 7 Colo Bankr Ct Rep 77, 20 BCD 660, 23 CBC2d 397.

5) We object to the bankruptcy because it is illegal due to fraud and lack of jurisdiction, 6969, 8150, 8225, although if they had legal jurisdiction it still would be invalid because there were no legal vote on the plan of adjustment and none what so ever on the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th or the 8th Amended plan of adjustments. (See Dkt Nos. 5827, 6293, 6295, 6297, 6300, 6958, 6960, 6961, 6962, 8228.

6) We the creditors/objectors that are Hundreds and maybe thousands of citizens that have not withdrew any of our objections to(dkt No 8993) and the court is allowing or conspiring to perpetrate or assist in perpetrating fraud on the public and the city of Detroit for example the so-called "Grand Bargain" and should be called the "Grand theft fraudulent Bargain."

The bill that was passed for the so-called "Grand Bargain" was in the last legislative session that ended in December 31, 2014. The bill or proposal will not take effect until 90 days after the bill is passed in accordance to the Michigan State Constitution of Article VI sect 27, that mean no funds is available and won't be available until March 31, 2014, therefore, contravention of MCL 600.5855 fraudulent Concealment.

7) We object and disagree to page 9 (dkt Nos 8272 & 8993)in reference to the

the fifth Amendment of the United State Constitution are excepted from the discharge is not for magistrate to decide that is up to the creditors and objectors and there representative because there is no legal law that require you or any citizens to give up there constitutional rights under any circumstances and if it is you better be ware.

8) We object and disagree with section D-1 the participation by unrepresented parties because the court meeting disguise as a hearing was unfair meaningless and no sworn testimony, and the Magistrate Judge Steven W Rhodes stated that it was a “presentation” not “testimony” and refused to state if it was legally binding on the record. When Carl Williams asked him in court and his remarks was ill take it under consideration, which make it invalid and not a meaningful hearing as required by the Supreme Court Ruling in *Goldberg v Kelly* 397 U.S. 254 90 S ct 1011, 252 (1970).

There were objections filed against the imitation of a meaningless hearing held July 15, 2014 (1) there were no sworn testimony from the creditors, (2) no effective opportunity to defend by confronting any adverse witness, no opportunity to cross examine adverse witness *Goldberg v Kelly* supra, citing E.g., *ICC v Louisville & N.R.Co* 227 U.S. 88, 93-94 (1913); *Wilner v Committee on character & Fitness*, 373 U.S. 96, 103-104 (1963). The court totally disregarded the requirement of due process under the Constitution and under Supreme Court decision in *Goldberg v Kelly*.

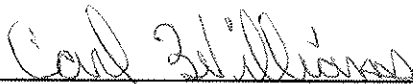
9) We object and have not will not agree to or consent to any agreement that will cease all or any litigations challenging Public Act 436 (2012) or seeking enforcement of Article XI sect 24 of the Constitution of the state of Michigan, relating to the pension benefit.

It should be noted that we the creditors don't have anything fair and equitable. When you have middle class citizens that are going to be reduce to poverty level as a result of the plan, it cannot and is not in the best interest of the creditors.

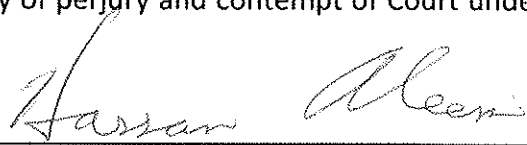
These are a few of the reasons why we object and disagree with the Supplemental Opinion regarding plan confirmation, approving settlement, and approving exist financing and we preserve our rights to add to and object and disagree in the future but we need more time to examine this opinion.

I/We hereby certify that the statements made herein this verified are true and correct and if called to testify can and will give testimony competently, under the laws of the United States of America, to the best of our knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

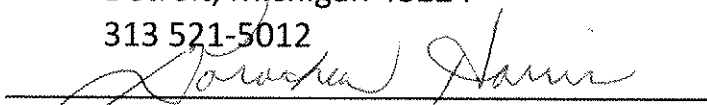
Sign



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**THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CARL WILLIAMS, HASSAN ALEEM AND
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Creditor/Petitioners

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In re:

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KEVYN D. ORR

Debtors/Respondent

Chapter 9

Case No. 13-53846

Magistrate Judge:

Steven W. Rhodes

PROOF OF SERVICES

Carl Williams, being first duly sworn deposes and
your name

Say that on January 13, 2015. I sent a copy of Motion to object and Reconsider
of Supplemental Opinion regarding plan confirmation, approving settlements and
approving exit financing, Upon the concern parties by certified mail at the
following address:

City of Detroit
Corporation Council
First National Building
600 Woodward Ave
Detroit, Michigan 48226

FILED
2015 JAN 13 P 2:37
U.S. BANKRUPTCY COURT
E.D. MICHIGAN - DETROIT

Emergency Manager
Kenyn Orr
Coleman A Young Municipal Center
2 Woodward 11th floor
Detroit, Michigan 48226

I/We hereby certify that the statements made herein this verified motion for summary judgment are true and correct and if called to testify can and will give testimony competently, under the laws of the United States of America, to the best of our knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl Williams